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October 27, 2015

VIA ECF

The Honorable Henry Pitman
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street, Courtroom 18A
New York, NY 10007

**Re: *The Republic of Kazakhstan v. Does 1 - 100 (Inclusive)*,
Civil Action No. 1:15-cv-01900-ER**

Dear Judge Pitman:

We represent plaintiff the Republic of Kazakhstan ("Plaintiff"). We write to inform the Court that we appeared before Judge Ramos yesterday afternoon to argue two motions: (1) Plaintiff's Motion for the Issuance of Letters Rogatory to the High Court of New Zealand for assistance in obtaining documents from Mega Limited; and (2) Plaintiff's Motion for the Issuance of a Letter of Request Under the Hague Convention to take the deposition of Muratbek Ketebeev. Respublika's counsel received notice of the oral argument via ECF notification but did not attend.

Judge Ramos granted Plaintiff's Motion for the Issuance of Letters Rogatory to the High Court of New Zealand. A copy of the letter of request to the High Court of New Zealand is attached hereto as Exhibit A. Judge Ramos has not executed it as of yet, but has said he will do so.

In addition, Judge Ramos granted in substantial part Plaintiff's Motion for the Issuance of a Letter of Request Under the Hague Convention to take the deposition of Muratbek Ketebeev. Of the 26 proposed topics, Judge Ramos authorized 17 for deposition (one with a slight revision to the proposed wording). The nine topics that were excluded from Mr. Ketebeev's deposition were topics 3, 4, 7-11, 23, and 24 in Plaintiff's proposed letter of request. A copy of Plaintiff's proposed letter of request is attached hereto as Exhibit B.

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Proposed topic number 11 in the proposed letter of request, which called for “Mr. Ketebaev’s knowledge of, and involvement in, any other hacking activities or planned hacking activities,” was excluded. (Exhibit B, p. 6, topic 11.) Accordingly, Plaintiff withdraws its request to depose Respublika as to topic number 4 in its proposed Fed. R. Civ. P. 30(b)(6) Notice of Deposition to Respublika, which had sought testimony regarding “[t]he circumstances under which Respublika . . . came to be in possession of other illegally-obtained materials, including, but not limited to, hacked materials other than the Stolen Materials such as Exhibits 1 and 2 to the Declaration of Jacques Semmelman, dated August 21, 2015.” (A copy of Plaintiff’s proposed Fed. R. Civ. P. 30(b)(6) Notice of Deposition to Respublika is attached hereto as Exhibit C.)

Plaintiff also notes that while Judge Ramos disallowed any questions relating to Mr. Ketebaev’s relationship with or activities on behalf of Mukhtar Ablyazov (Ex. B, p. 6, topics 4, 7, 9), he did allow questioning with regard to Respublika’s sources of funding (Ex. B, p. 6, topic 12).

We are happy to discuss these topics with the Court tomorrow.

Respectfully,



Jacques Semmelman

Enclosure

cc: James Rosenfeld, Esq. (counsel for Respublika) (via ECF) (with enclosure)
David Greene, Esq. (via ECF) (with enclosure)